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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/410,414	10/01/1999	CHARLES P. THACKER	1018.011USI	6827

27195 7590 03/16/2004

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EXAMINER

PAULA, CESAR B

ART UNIT PAPER NUMBER

2178

DATE MAILED: 03/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/410,414

Applicant(s)

THACKER ET AL.

Examiner

CESAR B PAULA

Art Unit

2178

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 18 February 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 6 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☒ A Notice of Appeal was filed on 18 February 2004. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

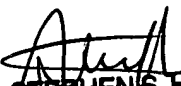
The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: 15-17 and 28.Claim(s) rejected: 1-14, 18-27, and 29-33.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____


STEPHEN S. HONG
PRIMARY EXAMINER

Continuation of 5. does NOT place the application in condition for allowance because: The examiner disagrees with applicants' statement that Barker fails to disclose a plurality of segments as described in the specification (p.12,L.6-25), because as stated by applicants: "[e]ach segment...desirably corresponds to a meaningful partition of the document 100" (p.12,L.9-10). According to the specification a paragraph, and a page fits the definition of what a segment is, because a paragraph, and a page are meaningful partitions of a document

Regarding claims 1, 6, 12, 20, 23, and 30, the applicant states that Barker does not teach or suggest the processing, entering, pouring a predetermined segment (p.12, L.26-28). The applicant is directed towards the rejections of these claims on pages 2-4, office action mailed on 8/28/2003.

Regarding claims 1, 6, 20, 23, and 30, the applicant states that Barker does not teach or suggest the determining a plurality of page breaks within a predetermined segment (p.12, L.28-31). The examiner disagrees, because Barker teaches the insertion of data into a document location, and reflowing the rest of document, such as a superblock and unformatted pages--"predetermined segment, into new pages having page breaks (col.12, L.50-67). The rest of the document page breaks are formatted before--predetermined segment-- the pages are displayed.

Further, applicant submits that Barker does not teach that page breaks are determined for a "predetermined segment of the document" (p.13,L.9-14). The examiner disagrees, because as it has been established above, Barker teaches the determination of various page breaks for a predetermined document portion-- before the document is displayed on a screen.

Moreover, applicant submits that Barker does not teach the pouring of text of the segment (p.13,L.15-18). The examiner disagrees, because Barker discloses that when the editing of a document causes a repagination, data or text in the current page is flowed, moved or "poured" into the next page, which in turns causes the reformatting, reflowing, or "pouring" of the rest of the data or text onto pages with page breaks before the document is displayed on a screen (col.12, L.50-67, c.15,L.10-37, 43-47).

Claims 18-19, and 29 remain rejected at least based on the same rationale set forth above.